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March 31, 2023

VIA ECF

Honorable Joan M. Azrack
United States District Judge
United States District Court
Eastern District of New York
Long Island Courthouse
100 Federal Plaza
Central Islip, New York 11722

Re: *Robert Goldblatt v. New York Institute of Technology,*
2:18-cv-00265 (JMA)(LGD)

Dear Judge Azrack:

This firm represents Defendant New York Institute of Technology ("NYIT") in the above-referenced action. Pursuant to Your Honor's March 22, 2023 Order, I write on behalf of counsel for the parties to provide a status report. The parties have completed discovery in this action with the exception of one deposition that Plaintiff seeks to take of a NYIT employee. This deposition was scheduled by the parties, but then cancelled due to a death in Plaintiff's counsel's family. The deponent has advised that he is unavailable for a rescheduled deposition until May 2, 2023. Counsel for NYIT does not object to the extension of discovery for the limited purpose of deposing this individual.

Should Your Honor grant Plaintiff's counsel's request for an extension of discovery to complete this deposition until May 2, counsel for NYIT respectfully requests until May 16, 2023 to submit NYIT's pre-motion letter seeking permission to file NYIT's motion for summary judgment. Counsel for Plaintiff respectfully requests until May 30, 2023 to file Plaintiff's opposition letter. Should Your Honor deny Plaintiff's counsel's request for an extension, NYIT respectfully requests until April 14, 2023 to submit NYIT's pre-motion letter seeking permission to file NYIT's motion for summary judgment. Counsel for Plaintiff then respectfully requests until April 28, 2023 to file Plaintiff's opposition letter.

As NYIT intends to move for summary judgment, counsel for the parties respectfully request that the deadline to file a joint pre-trial order be extended until after Your Honor issues a decision on NYIT's motion for summary judgment.

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Thank you for Your Honor's consideration of the parties' requests.

Respectfully Submitted,

CLIFTON BUDD & DEMARIA, LLP
Attorneys for Defendant

By: 

Douglas P. Catalano
Stefanie R. Toren

cc: Gregory Tsonis, Esq.